

Arbitrator Submission of, and WERC Website Research of Wisconsin Interest Awards

by Marshall L. Gratz

Attorney/ Team Leader/ Webmaster

Wisconsin Employment Relations Commission

WERC Ad Hoc Arbitrator Conference -- September 13, 2004 -- Madison, WI

Presentation contents:

-Memo: Reminders/Suggestions Concerning Submission of Interest Awards to the WERC

-Sample interest award caption including docket numbers, Dec. No. and unit type

-Outline: Using Interest Arbitration Resources on the WERC Website

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-Opening page of MIA issues index

-Web page (see http://werc.wi.gov/searching_werc_website.htm)

-Web page (see http://werc.wi.gov/sample_pdf_archive_searches.pdf)

MEMORANDUM

TO: WERC AD HOC ROSTER MEMBERS

FROM: Marshall Gratz, WERC

DATE: September 17, 2004

RE: Reminders concerning submission of interest arbitration awards

WERC publishes all non-consent interest awards on its agency website (werc.wi.gov) monthly. Ideally, we simply convert a word processor format file containing the entire award to PDF, and we add a PDF “supercitation” identifying the employer, bargaining unit, decision number, date issued, arbitrator and prevailing party. If necessary, we also insert corrections so it accurately reflects both the Dec. No. and the three WERC docket numbers. In some cases we also find it necessary to scan part or all of the paper copy to produce a PDF image+hidden text file; however searches of that type of PDF file are less reliable and the substantially larger size of those files causes some users inconvenience in viewing or downloading them.

WERC offers arbitrators the following reminders and suggestions concerning preparation and submission of interest awards to the WERC:

Send paper and electronic copies promptly. Interest awards need to be submitted to WERC in both paper and electronic form as soon as possible after award issuance, along with the arbitrator’s report of fees and expenses.

Include Dec. No. in caption, in addition to docket numbers. The award caption should include both the Decision Number, e.g., 12345-A and the other three docket numbers, e.g., Case 12 No. 65432 INT/ARB-456. All of that information appears on the WERC order appointing arbitrator supplied to you by the Commission. Please double check the caption when proofing your award because word processing makes it easy to leave incorrect numbers from a prior award template in the document you issue in a subsequent case.

Identify the bargaining unit involved. The award should also identify the general nature of the bargaining unit involved, either in the caption or early in the text of the award. Examples would be public works, social service professionals, support staff, fire, law enforcement, etc.

Limit use of documents not in word processor file. Documents that are included in the paper form of the award but which do not appear in the word processor file forwarded to WERC (e.g., final offers or exhibits) should be appended at the end of the paper award. Such documents complicate the web publishing process, so if you can conveniently have

them keyed as a part of the word processing file, that is preferable from WERC's point of view.

Send electronic form by e-mail or diskette. The electronic form of your award can be sent to us by e-mail attachment or diskette. Address the e-mail to Rita.Boerger@werc.state.wi.us . CD-ROM submissions are currently more difficult for us to manage

Microsoft Word or WordPerfect formats are preferred. WERC will try to work with whatever word processor format you submit. However, we can only work with files and diskettes that are readable on a Windows computer. We find it easiest to work with Microsoft Word or WordPerfect files that are readable on a Windows computer. We can also work with PDF files, but they are less desirable from our point of view because it is difficult for us to insert docket number corrections if they are needed or to insert the Dec. No. if the arbitrator has not done so.

If there are questions about the foregoing, feel free to contact Rita Boerger or Marshall Gratz.

BEFORE THE ARBITRATOR

In the Matter of the Petition of

CITY OF APPLETON

To Initiate Arbitration Between Said Petitioner and

APPLETON MUNICIPAL EMPLOYEES UNION,
WASTEWATER/CENTRAL BUILDING
MAINTENANCE DIVISIONS, LOCAL 73, AFSCME,
AFL-CIO

Case 408

No. 60846

INT/ARB-9535

Dec. No. 30668-A

Appearances:

Davis & Kuelthau, S.C., Attorneys at Law, by Mr. William G. Bracken, 219 Washington Avenue, P.O. Box 1278, Oshkosh, Wisconsin 54903-1278.

Mr. Richard C. Badger, Associate Director, Wisconsin Council 40, AFSCME, AFL-CIO, 8033 Excelsior Drive, Madison, Wisconsin 53717-1903

ARBITRATION AWARD

The City of Appleton, hereinafter referred to as the City or Employer, and Appleton Municipal Employees Union, Wastewater/Central Building Maintenance Divisions, Local 73, AFSCME, AFL-CIO, hereinafter referred to as the Union, met on several occasions in collective bargaining in an effort to reach an accord on the terms of a successor agreement to their 2000-2001 collective bargaining agreement. Said agreement covers all employees of the Employer employed in its Waste Water Division and Central Building Maintenance Divisions, excluding craft, confidential, professional and supervisory employees. Failing to reach such an accord, a petition was filed with the Wisconsin Employment Relations Commission (WERC) requesting the latter agency to initiate arbitration, pursuant to Section 111.70(4)(cm)6 of the Municipal Employment Relations Act, and following an investigation conducted in the matter, the WERC, after receiving the final offers from the parties by July 3, 2003, issued an Order

Using Interest Arbitration Resources on the WERC Website

The WERC website includes an archive of all non-consent awards issued under Wisconsin interest arbitration statutes and a variety of related resources.

Interest award information available on the WERC website (werc.wi.gov) –

- award files in PDF format example, http://werc.wi.gov/interest_awards/int29393.pdf
- PDF title field, example, Iowa County (Courthouse), Dec. No. 29393-A (Torosian, 2-22-99)(employer)
- interest award search page
 - follow search link labeled “interest awards” near top of website opening page
- lists of pre-1999 awards with links to each of the awards
 - http://werc.wi.gov/interest_awards_pre-1999.htm
- a linked list of interest awards issued 1999-on, (updated monthly)
 - http://werc.wi.gov/interest_awards_1999_on.htm
- indexes of interest awards showing issues and competing wage and total package costs (updated periodically)
 - http://werc.wi.gov/interest_award_issues_index_MIA.pdf
 - http://werc.wi.gov/interest_award_issues_index_INT.pdf
- summaries of interest awards issued between 1989 and 1994 (not updated)
 - http://werc.wi.gov/interest_award_summaries_introduction.htm

The award files and most of the linked lists are in PDF format -- Awards issued prior to 1999 were scanned and optical character recognized, so the files are larger, take longer to view and download, are less reliably full-text searchable, and text block copying and pasting will require more proofing and correction. Most awards issued after 1999 were converted to PDF from a word processor file submitted by the arbitrator. As such they are much smaller, taking less time to view and download, more reliably full-text searched and text block copied.

System requirements to use the interest award archive on the WERC website –

- connection to Internet; broadband connection improves speed of use
- Internet browser software such as Internet Explorer, Netscape Navigator or Mozilla
- (free) Adobe Acrobat Reader; ver. 4.0 works fine; 6.0 adds useful features
www.adobe.com

General instructions for searching PDF archive on the WERC website are attached.

Understanding the WERC website interest award search screen –

- Default settings are designed to limit search results to interest awards on the WERC site
- Search what? Title (supercitation), body (includes title and body), URL (web address)
- Search for words? some or all words, not necessarily contiguous, in any order
- Search for a phrase? (all words, contiguous, and in order)
- Include/exclude what? must contain, must not contain, should contain
- Show what results? how many, with or without summaries
- Show results in what order? Descending relevance, descending file creation date
- Title hits are treated as more relevant than body hits

Understanding the supercitations constituting the PDF file's title field – The title field contains the employer name, bargaining unit, decision number, date issued, arbitrator name and identity of party whose award was selected.

Understanding the results of your search – without summaries results list title only; with summaries searches show initial lines of caption text, the file's URL, the file's creation date and size. The title is a link which, when followed, opens the corresponding PDF file. To return to the results list, use your browser's back button.

Staying current with recent awards – Awards received by WERC during a calendar month are posted within a few days of the end of that month. The awards are added at the end of a list of awards issued in 1999 and after. The latest month available is noted in a link in the NEW section near the top of the Welcome and Contents page. The most recent month of awards may not become full text searchable for a week or two after they are posted.

Common Search Techniques

Finding an award for which you have a full or partial citation – use full-text search for the criteria contained in the citation information you have

Finding awards involving the same party or parties – use full text search of awards archive or of linked list; use of "with summaries" feature may be helpful

Finding awards involving particular bargaining or decisional issues – use either full-text search of awards or manual search of individual issues indexes.

Finding awards involving the same type of bargaining unit – use full-text search for unit type (e.g., fire, police, teachers, city hall, social services professionals, public works, etc.) and watch results for results with searched-for unit type highlighted at beginning of results list.

Finding awards involving a particular arbitrator – use full-text search for arbitrator's last name, watch for results with arbitrator's name highlighted at beginning of results list.

INTEREST ARBITRATION ISSUES INDEX
(INT/ARB awards only, thru 5-7-04 -- MIA awards are separately indexed) PAGE 1

AWARD IDENTIFICATION	ARBITRATOR	DECISION NUMBER	DATE OF AWARD	OFFER SELECTED / ISSUES
Marshfield, City of (DPW) Case 142, No. 60285, INT/ARB-9357	Dichter	30638-A	05-07-2004	Employer Wages (Employer 3% 01-01-01 & 3% 01-01-02 & 3% 01-01-03 + increase all wage rates \$0.17/hour effective with Insurance changes; Union same as Employer except effective with insurance changes add \$0.20/hour & add \$0.10/ hour for employees needing CDL) Comparables internal & external, Health Insurance
Onalaska, City of (Overall City Hall) Case 41, No. 61586, INT/ARB-9738	Engmann	30550-A	10-10-2003	Union Wages (Employer \$0.45 one-time payment on base for insurance changes & \$0.23 for clerical/secretarial + \$0.29 for dpw, roughly 2% for each 01-01-02 & \$0.18 for clerical/secretarial + \$0.22 for dpw, roughly 1.5% for each 01-01-03; Union 1.5% 01-01-02 + 2% 07-01-02 ATB & 1.5% 01-01-03 + 2% 07-01-03 ATB), Comparables, Health Insurance, On-Call Pay, Crew Leader Premium
Unified Community Services of Grant & Iowa Counties (Professional) Case 20, No. 61814, INT/ARB-9787	Petrie	30621-A	04-03-2004	Union Wages (Employer 2.5% 01-01-03 & 3% 01-01-04; Union 3%; 01-01-03 & 3% 01-01-04), Health Insurance

POLICE-FIRE INTEREST ARBITRATION ISSUES INDEX
(MIA awards only -- INT/ARB awards are separately indexed)

PAGE 1

AWARD IDENTIFICATION	ARBITRATOR	DECISION NUMBER	DATE OF AWARD	OFFER SELECTED/ISSUES
Shawano, City of Case 35, No. 61989, MIA-2509 (Law Enforcement Personnel)	McClimon	30671-A	03-13-2004	Union Wages (Employer 2% 01-01-03 & 3% 01-01-04 and wage schedule changes; Union 3% 01-01-03 & 3% 01-01-04), Comparables, Vacation, Sick Leave
Wood County Case 152, No. 61693, MIA-2485 (Law Enforcement Personnel)	Yaffe	30639-A	01-16-2004	Union Wages (Employer 3% 01-01-03 & 3% 01-01-04; Union 2% 01-01-03 + 2% 07-01-03 & 2.5% 01-01-04 + 2% 07-01-04), Payment for elimination of right to use squad car for personal use
Iowa County Case 109, No. 60867, MIA-2448 (Law Enforcement Personnel)	Tyson	30611-A	12-31-2003	Employer Wages (Employer 2% 01-01-02 + 2% 10-01-02 & 3% 01-01-03; Union 2% 01-01-02 + 2% 07-01-02 + \$0.30 12-31-02 & 2% 01-01-03 + 1% 07-01-03 + 1% 12-31-03 + \$0.30 12-31-03), Funeral leave
Grand Chute, Town of Case 23, No. 62027, MIA-2512 (Law Enforcement Personnel)	Michelstetter	30661-A	11-21-2003	Consent Wages (3% 01-01-03 + \$0.13 07-01-03 & 3% 01-01-04 & 3% 01-01-05), Vacation, Clothing allowance, Health Insurance, Sick leave pay out